

PTO/SB/05 (03-01)

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Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Afterney Docket

DT3404

| UTILITY  | L  | Attorney Docket   P1Z21C1 |   |   |                              |                      |                                      |          |  |  |  |
|--|--|---------------------------|---|---|------------------------------|----------------------|--------------------------------------|----------|--|--|--|
| PATENT APPLICATION   |  | First I                   | nventor   | ventor Rosen et al.   |                              |                      |                                      | 0        |  |  |  |
| TRANSMITTAL  | Γ  | Title                     | Nucleic   | Acids, F  | Proteins,                    | eins, and Antibodies |                                      |          |  |  |  |
| (Only for new nonprovisional applications under 37 CFR   | 1.53(b))   | Expre                     | ss Mail L   | abel  | 1                            |                      |                                      | S        |  |  |  |
|  |  | <del></del>               |   |   |                              | Box Pat              | tent Application                     |          |  |  |  |
| APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent appl                         |  | tents.                    | AL  | DRES  | S TO:                        | Commis               | ssioner for Patent<br>gton, DC 20231 | 10/01    |  |  |  |
| 1. X Fee Transmittal Form (e.g., PTO/SB/17)  |  |                           | 7.  |   | or CD-R in                   | duplicate            | , large table or                     | <u> </u> |  |  |  |
| (Submit an original, and a duplicate for fee processing)  Applicant claims small entity status   |  |                           | لـــا   |   | r Program (/<br>d/or Amino / |                      | )<br>Jence Submission                | -        |  |  |  |
| 2. See 37 CFR 1.27.  |  |                           |   |   | all necessar                 |                      |                                      |          |  |  |  |
| 3. X Specification [Total Pag  | ges 420  | ) ]]                      | a. >  | Compu   | iter Readabl                 | le Form (0           | CRF)                                 |          |  |  |  |
| (preferred arrangement set forth below) - Descriptive title of the invention                     |  |                           | b. S  | pecificatio   | n Sequence                   | Listing o            | n:                                   |          |  |  |  |
| Cross Reference to Related Applications  |  |                           | i. X CD-ROM or CD-R (2 copies); or ii. paper                |   |                              |                      |                                      |          |  |  |  |
| <ul> <li>Reference to sequence listing, a table,</li> </ul>                                      | <ul> <li>Statement Regarding Fed sponsored R &amp; D</li> <li>Reference to sequence listing, a table,</li> </ul> |                           |   | c. X Statements verifying identity of above copies                            |                              |                      |                                      |          |  |  |  |
| or a computer program listing appendix - Background of the Invention                             |  | ر                         |   |   |                              |                      |                                      |          |  |  |  |
| - Brief Summary of the Invention   |  |                           |   | <u></u>   |                              | ***                  | ICATIONS PARTS                       |          |  |  |  |
| <ul> <li>Brief Description of the Drawings (if filed)</li> <li>Detailed Description</li> </ul>   |  |                           | 9.  | Assignme  | ent Papers (                 | cover she            | eet & document(s))                   |          |  |  |  |
| - Claim(s) - Abstract of the Disclosure  |  |                           | 10. 37 CFR 3.73(b) Statement X Associate Power of Attorney  |   |                              |                      |                                      |          |  |  |  |
| 4. Drawing(s) (35 U.S.C. 113) [Total She   | eets   | 1                         | 11.   | 1   |                              |                      | (if applicable)                      |          |  |  |  |
| 5. Oath or Declaration [Total Page   | ges 5  | 1                         | 12.   |   | on Disclosur<br>nt (IDS)/PTC |                      | Copies of IDS<br>Citations           |          |  |  |  |
| a. Newly executed (original or copy)   |  |                           | 13. Preliminary Amendment                                   |   |                              |                      |                                      |          |  |  |  |
| b. X Copy from a prior application (37 CFR 1.63(d))  |  |                           | 14. X Return Receipt Postcard (MPEP 503)                    |   |                              |                      |                                      |          |  |  |  |
| DELETION OF MUSEUTODIO   | (for continuation/divisional with Box 18 completed)  |                           |   | (Should be specifically itemized)  15. Certified Copy of Priority Document(s) |                              |                      |                                      |          |  |  |  |
| i. <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting                             |  |                           | (if foreign priority is claimed)                            |   |                              |                      |                                      |          |  |  |  |
| inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).                   |  |                           | 16. Applicant must attach form PTO/SB/35 or its equivalent. |   |                              |                      |                                      |          |  |  |  |
|  |  |                           | 17. X   | Culei. I  |                              |                      | er 37 C.F.R. § 1.821                 |          |  |  |  |
| 6. X Application Data Sheet. See 37 CFR 1.76 (7 pages)   |  |                           |   |   | 2. Fransm<br>C.F.R. §§       |                      | Submission Under (<br>nd 1.52(e)     | 37       |  |  |  |
|  |  |                           |   |   |                              |                      |                                      |          |  |  |  |
| 18. If a CONTINUING APPLICATION, check appropria  Data Sheet under 37 CFR 1.76:                  | ale box, and s   | вирріу іпе                | requisite into  | rmation beit  | ow and in a pr               | eliminary a          | menament, or in an Applica           | auon     |  |  |  |
| X Continuation Divisional Co   | ontinuation-i  | in-part (C                | CIP) of pr  | ior applica   | ition No.:                   |                      | 09/764,866                           |          |  |  |  |
| Prior application information: Examiner  | Clo  | w, L.                     |   | Grou  | p / Art Unit:                | ·                    | 1631                                 |          |  |  |  |
| For CONTINUATION or DIVISIONAL APPS only: 1 under Box 5b, is considered a part of the disclosure |  |                           |   |   |                              |                      |                                      |          |  |  |  |
| reference.   | Of the accor   | прапупц                   | y Continuati  | on or divis   | sional applic                | ation and            | is hereby incorporate                |          |  |  |  |
| 19   | . CORR   | ESPO                      | NDENCE  | ADDR  | ESS                          |                      |                                      |          |  |  |  |
|  |  |                           |   |   |                              |                      |                                      |          |  |  |  |
| X Customer Number or Bar Code  |  | 2                         | 22195   |   | Ι,                           | ori i                | Correspondence a                     | ddress   |  |  |  |
| Label  |  |                           |   |   | _                            | '                    | below                                |          |  |  |  |
|  |  |                           |   |   |                              |                      |                                      |          |  |  |  |
| Name   |  |                           |   |   |                              |                      |                                      |          |  |  |  |
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| Country  | Tele   | phone                     |   |   |                              | Fax                  |                                      |          |  |  |  |
| Name (Print/Type) Mark J. Hyman  |  |                           | Regi  | stration No   | o. (Attorney/                | Agent)               | 46,789                               |          |  |  |  |
| Signature MJ A   |  |                           |   |   | D                            | ate F                | ebruary 14, 2002                     |          |  |  |  |



PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

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| FFF TD ANGASTTAL   | [  | Complete if Known           |            |   |   |                                |                                   |           |  |
|--|--|-----------------------------|------------|---|---|--------------------------------|-----------------------------------|-----------|--|
| FEE TRANSMITTAL  |  |                             |            |   | er  | Not Yet Assigned               |                                   |           |  |
| for FY 2002  |  |                             |            |   |   | Herewith                       |                                   |           |  |
| Patent fees are subject to annual revision.                            | First Named Inventor                                     |                             |            |   | itor  | Rosen et al.                   |                                   |           |  |
|  | Examiner Name  |                             |            |   | Not Yet Assigned                                |                                |                                   |           |  |
| Application claims small entity status. See 37 CFR 1.27                | Group Art Unit   |                             |            |   |   | Not Yet Assigned               |                                   |           |  |
| TOTAL AMOUNT OF PAYMENT (\$) 896.00                                    |  | Attorney Docket No. PTZ21C1 |            |   |   |                                |                                   |           |  |
| METHOD OF PAYMENT (check all that apply)                               |  |                             |            | FEE   | CALCUL  | ATION (co                      | ntinued)                          |           |  |
| Check Credit Money Other None  | 3. A   | DDITIO                      | ONA        | L FEES  |   |                                |                                   |           |  |
| X Deposit Account  |  | Entity                      | c          | all Entity  |   |                                |                                   |           |  |
| Deposit<br>Account 08-3425   | Fee  | Fee                         | Fee        |   | -   | F D                            | -1-4:                             |           |  |
| Number   | Code   | (\$)                        | Code       | e (\$)  |   | Fee Desc                       | ription                           | Fee Paid  |  |
| Deposit Account Human Genome Sciences, Inc.                            | 105  | 130                         | 205        | 65  | Surcharge -                                     | - late filing fe               | e or oath                         |           |  |
| Name The Commissioner is hereby authorized to: (check all that apply)  | 127  | 50                          | 227        | 25  | Surcharge -<br>sheet.                           | - late provision               | onal filing fee or cover          |           |  |
| X Charge fee(s) indicated below X Credit any overpayments              | 139  | 130                         | 139        | 130   | Non-Englis                                      | h specificatio                 | n                                 |           |  |
| X Charge any additional fee(s) during the pendency of this application | 147  | 2,520                       | 147        | 2,520   | For filing a request for ex parte reexamination |                                |                                   |           |  |
| Charge fee(s) indicated below, except for the filing fee               | 112  | 920*                        | 112        | 920*  | Requesting<br>Examiner a                        |                                | of SIR prior to                   |           |  |
| to the above-identified deposit account.                               | 113  | 1,840*                      | 113        | 1,840*  |   | publication of                 | of SIR after                      |           |  |
| FEE CALCULATION  | 115  | 110                         | 215        | 55  |   | or reply within                | n first month                     |           |  |
| 1. BASIC FILING FEE  | 116  | 400                         | 216        | 200   | Extension f                                     | or reply within                | n second month                    |           |  |
| Large Entity Small Entity  | 117  | 920                         | 217        | 460   | Extension f                                     | or reply within                | n third month                     |           |  |
| Fee Fee Fee Fee Description Fee Paid                                   | 118  | 1,440                       | 218        | 720   | Extension f                                     | or reply within                | n fourth month                    |           |  |
| 101 740 201. 370 Utility filing fee 740.00                             | 128  | 1,960                       | 228        | 980   | Extension f                                     | or reply within                | n fifth month                     |           |  |
| 106 330 206 165 Design filing fee                                      | 119  | 320                         | 219        |   | Notice of A                                     |                                |                                   | <u> </u>  |  |
| 107 510 207 255 Plant filing fee                                       | 120  | 320                         | 220        |   |   | f in support o                 | of an appeal                      |           |  |
| 108  | 121  | 280                         | 221        | 140   | •   | oral hearing                   | tin una proposicion               | <b>  </b> |  |
| 114 160 214 80 Provisional filing fee                                  | 138<br>140   | 1,510<br>110                | 138<br>240 | 1,510<br>55   |   | evive – unav                   | olic use proceeding               |           |  |
| SUBTOTAL (1) (\$) 740.00   | 141  | 1,280                       | 241        | 640   |   | evive - uninte                 |                                   |           |  |
| 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE                            | 142  | 1,280                       | 242        | 640   | Utility issue                                   | fee (or reiss                  | ue)                               |           |  |
| Extra Fee from Fee Paid<br>Claims below                                | 143  | 460                         | 243        | 230   | Design issu                                     | e fee                          |                                   |           |  |
| Total Claims 24 -20** = 4 x 18.00 = 72.00                              | 144  | 620                         | 244        | 310   | Plant issue                                     | fee                            |                                   |           |  |
| Independent 4 -3** = 1 x 84.00 = 84.00                                 | 122  | 130                         | 122        | 130   | Petitions to                                    | the Commiss                    | sioner                            |           |  |
| Multiple Dependent =   | 123  | 50                          | 123        | 50  | Processing                                      | fee under 37                   | CFR 1.17(q)                       |           |  |
| Large Entity Small Entity  | 126  | 180                         | 126        | 180   | Submission                                      | of Information                 | on Disclosure Stmt                |           |  |
| Fee Fee Fee Fee Fee Description  | 581  | 40                          | 581        | 40  |   |                                | ssignment per                     |           |  |
| Code (\$)   Code (\$)  | 146  | 740                         | 246        | 370   |   |                                | of properties)<br>final rejection | $\vdash$  |  |
| 102 84 202 42 Independent claims in excess of 3                        | 146  | 740                         | 246        | 3/0   | (37 CFR 1.                                      |                                | -4* 4- b                          |           |  |
| 104 280 204' 140 Multiple dependent claim, if not paid                 | 149  | 740                         | 249        | 370   |   | Iditional inver<br>37CFR 1 129 |                                   |           |  |
| 109 84 209 42 ** Reissue independent claims                            | 179  | 740                         | 279        | 370   | -   |                                | xamination (RCE)                  |           |  |
| over original patent  110 18 210 9 ** Reissue claims in excess of 20   |  | 900                         | 169        | 900 Request for expedited examination of a design application |   |                                |                                   |           |  |
| and over original patent   | Other  | fee (spe                    | cify)      | ~   |   |                                |                                   |           |  |
| SUBTOTAL (2) (\$) 156.00   | *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 0.00 |                             |            |   |   |                                |                                   | 0.00      |  |
| **or number previously paid, if greater; For Reissues, see above       |  | _                           |            |   |   |                                |                                   |           |  |
| SUBMITTED BY   | Regist   | ration No                   | , T        |   |   | T                              | (if applicable)                   |           |  |
| Name (Print/Type) Mark J. Hyman  |  | ey/Agent)                   |            | 6,789   |   | Telephone                      | (240) 314-1224                    |           |  |
| Signature 100  |  |                             |            |   |   | Date                           | February 14 20                    | 102       |  |

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rosen et al.

Attorney Docket No.: PTZ21C1

Application Serial No.: Not Yet Assigned

Art Unit: Not Yet Assigned

Filed: Herewith

Examiner: Not Yet Assigned

Title: Nucleic Acids, Proteins, and Antibodies

## STATEMENT UNDER 37 C.F.R. § 1.821

Commissioner for Patents Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.821(f), Applicants hereby certify that the sequence listing information recorded in computer readable form and submitted herewith is identical to the written (on compact disc) Sequence Listing submitted herewith.

Respectfully submitted,

Dated: February 14, 2002

Reg. No. 46,789

Attorney for Applicants

Human Genome Sciences, Inc.

9410 Key West Avenue Rockville, MD 20850 Telephone: (240) 314-1224

**Enclosures** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rosen et al.

Attorney Docket No.: PTZ21C1

Application Serial No.: Not Yet Assigned

Art Unit: Not Yet Assigned

Filed: Herewith

Examiner: Not Yet Assigned

Title: Nucleic Acids, Proteins, and Antibodies

## TRANSMITTAL AND SUBMISSION UNDER 37 C.F.R. §§ 1.824 AND 1.52(e)

Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. §§ 1.821(e) and 1.824, Applicants submit herewith a Sequence Listing satisfying the computer readable format requirements on a compact disc (CD-R) labeled "CRF." Applicants submit concurrently herewith a Statement Under 37 C.F.R. § 1.821.

Additionally, in accordance with 37 C.F.R. §§ 1.52(e), 1.821, and 1.823, Applicants submit herewith a Sequence Listing as an electronic document on two identical compact discs (CD-R). Applicants certify under 37 C.F.R. § 1.52(e)(4) that these two compact discs, labeled "Copy 1" and "Copy 2," are identical. These compact discs, formatted for an IBM-PC machine and compatible with the MS-Windows operating system, each contain the file "PTZ21C1 seqlist.txt" (277,176 bytes in size, created February 13, 2002).

Respectfully submitted,

Dated: February 14, 2002

Reg. No. 46,789

Attorney for Applicants

Human Genome Sciences, Inc.

9410 Key West Avenue Rockville, MD 20850

Telephone: (240) 314-1224

Enclosures